PRESIDENT: I nominate Mr. Krishna Aiyangar as the Chairman of the Committee. The Committee will report within three months.

THE TRAVANCORE OFFICIAL TRUSTEE BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to introdce another Bill, which is also complementary to the Probate and Administration Bill, namely for the appointment of an Official Trustee in Travancore. The Bill has been published in the Gazette with a statement of objects and reasons and I now beg to move that the Bill be read in Council.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The function of the Public Trustee is one which requires a little explanation. When an Administrator-General has been appointed in respect of the estate of a deceased person he has to discharge all the liabilities on the estate. If assets still remain over they must be preserved in the hands of somebody. For that purpose there should be a public official. That official is called the Official Trustee. He is subject to public control and public audit and the responsibility for his actions will be taken by the Government.

This trustee may be made use of not only for the purpose of taking up the assets of deceased persons but also for other purposes.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): May I know whether this trustee can administer religious endowments?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No. Not ordinarily. I may draw the attention of the member to sub-clause 5 of Clause 6 of the Bill which says that unless rules are made for the purpose the Official Trustee cannnot be utilised for administering Religious Endowments. But that may, if necessary, receive further consideration at the hands of the Select Committee, that is to say whether the provisions should be extended or curtailed. However, a Public Trustee is necessary and provision is made in this Bill for the appointment of such an official as well as for laying down his duties, rights and responsibilities.

I hope this Bill will also receive the acceptance of the House.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): May I know whether the Law Member has any objection for one person to be Administrator-General and Official Trustee?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It may be so done if advisable, but the law in regard to the two must be different.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): In recommending the Bill I have only to submit that the observations made by the learned Deputy President with regard to the Bill just now introduced will

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[Mr. K. P. Nilakanta Pillai.]

equally apply to this Bill also. Both the Bills are drafted on the model of the British Indian enactment of 1913 and the qualifications laid down, both for the post of Administrator-General and the Official Trustee, in the British Indian enactments apply to both the Bills. That particular matter has been omitted in the Bill now introduced in the House. At this stage I need not elaborate further on the point but shall particularly refer to the observations of the learned Deputy President in regard to both these Bills that the appointment is very important. Therefore some provision in both the Bills has to be made for that appointment. With these words I welcome the measure.

PRESIDENT: May I take it that the House accepts the principle of the Bill?

The principle of the Bill was accepted by the House and the Secretary then read the title of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Select Committee to consider and report on this Bill may consist of the Deputy President, Mr. A. G. Menon, Mr. D. C. Joseph, Mr. Thanu Pillai, Mr. I. C. Chacko, Mr. K. N. Ramasubba Aiyar, Mr. K. Madhavan Pillai and myself to report within three months.

PRESIDENT: May I take it that the House accepts the personnel of the Committee?

The House accepted the personnel of the Committee.

PRESIDENT: Mr. Krishna Aiyangar, may I ask whether you will undertake to be the President of the Committee?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): It looks, Sir, as if I am helpless in the matter. I leave it to you

PRESIDENT: Thank you very much.

The Committee will report in three months.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, with regard to the question that you asked me whether you have got the power to change the dates for general discussion of the Budget, I think that you as Dewan have got the power to fix the dates and you may now fix Saturday and Monday for general discussion.

MR. K. P NILAKANTA PILLAI (*Chirayinkil*): The days have already been announced.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): But in response to the wishes of the House the Dewan may revise. Sir, an interval of three days may be allowed; there will be two days for general discussion, seven days after that for the voting of grants and one day after that for non-official business.

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MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : But the non-official day will be in Chingom.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That does not matter.

MR. A. G. MENON (*Parur*) : May I know how many days are allowed to send up motions? I got the Budget only this morning.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It requires five days' notice.

MR. A. G. MENON (*Parur*) : I got the Budget only this morning. Most of us got it either yesterday evening or this morning.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : If in any case it is shown that because of that a member has not had sufficient time to send up motions, that fact may be brought to the notice of the President and he may excuse any delay.

MR. A. G. MENON (*Parur*) : Is it not possible to give a general ruling?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The members have still five days' time. The motions may be sent to-day, to-morrow or the day after. If in any particular case it is found that a member is unable to give notice and if his request for exceptional treatment is reasonable, the President may excuse the delay. The members must also realise that the official members have to prepare their replies so that some time may be required for that also. It is left to the President to excuse any delay and admit a motion. As I have stated, the President will certainly consider any exceptional cases.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai and Political Pensioners*) : ചോദ്യങ്ങൾ അയച്ചിട്ടുള്ളതു ഞായറാഴ്ച കിട്ടി എന്നപറഞ്ഞു ചോക്കാതെ അവയെ തള്ളിക്കളഞ്ഞു. എന്നാൽ ഈ ദിവസങ്ങൾക്കു ഇടയിൽ ഒരു ഞായറാഴ്ചകൂടി ഉണ്ട്. അതും ചേർക്കുമോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Interpellations must be sent twelve clear days before the date of the meeting and that does not arise in the present question.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai and Political Pensioners*) : ഇപ്പോൾ ഒരു റിസ്സസ്സിന്റെ ഇടയ്ക്കു ഒരു ഞായറാഴ്ച വരുന്നുണ്ട്. അതു കൂടി ഉൾപ്പെടുത്തുമോ എന്നാണു് അറിയേണ്ടതു്?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : We are speaking of motions. Is the member speaking of interpellations or motions?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai and Political Pensioners*) : I speak of Motions.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : He may send it the day after to-morrow.

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PRESIDENT: In response to the general wish of the House as expressed by Dr. Madhavan Pillai that they should have a little extra time to study the Budget I extend the recess by one day; that is, instead of meeting here again on Friday morning we shall meet here on Saturday and the general discussion will take place on Saturday and Monday. In the result the members will have Wednesday, Thursday, Friday and Sunday in which to make a careful study of the Budget.

We will now adjourn and meet again at half-past eleven on Saturday morning.

The House adjourned at 12-40 P. M. to meet again on Saturday the 4th August 1928.

P. N. KRISHNA PILLAI,
Secretary to the Legislative Council.

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